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**MEMO ENDORSED
VIA HAND DELIVERY**

The Honorable Colleen McMahon
United States District Judge for the Southern
District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 14C
New York, NY 10007-1312

Re: Securities and Exchange Commission v. John Michael Kelly, et al. (No. 1:08-cv-04612
(CM)

Dear Judge McMahon:

We represent Defendant Mark Wovsaniker in the above-referenced action. On behalf of Mr. Wovsaniker, I am enclosing courtesy hard and electronic copies of the following documents that were served on counsel of record via the Court's ECF System on Monday, July 11, 2011, in the above-referenced matter: (1) Defendant Mark Wovsaniker's Notice of Motion for Judgment on the Pleadings as to Counts I and II of the Complaint Based on the Supreme Court's June 13, 2011 Janus Decision, or Alternatively for Reconsideration in Part of this Court's Decision and Order Dated January 7, 2011; (2) his Memorandum of Law in Support of his Motion; (3) the appendix to his Memorandum of Law; (4) a proposed order granting Mr. Wovsaniker's Motion; and (5) the Certificate of Service with respect to his Motion.

Additionally, according to Your Honor's Individual Practices, Defendant Mark Wovsaniker requests oral argument with respect to his Motion for Judgment on the Pleadings as to Counts I and II of the Complaint Based on the Supreme Court's June 13, 2011 Janus Decision, or Alternatively for Reconsideration in Part of this Court's Decision and Order Dated January 7, 2011.

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 7/13/11

Enclosures

cc: Counsel of Record (via electronic mail) (w/o enclosures)

DC-9225435 v1

This cannot be made as
a Motion for reconsideration
because the time for "reconsideration"
has passed. You have to make
a new (12(c)) motion -

or preferably a Rule 56
motion -

CK-7
to
now
ear.

I will
do

the -

Rule 12(c)/
56 motion -

not a motion for
reargument

Colleen M. McMahon
7/13/11